

DOCKET FILE COPY ORIGINAL



IN REPLY REFER TO

**United States Department of the Interior****BUREAU OF INDIAN AFFAIRS  
MANY FARMS HIGH SCHOOL**P.O. Box 307  
Many Farms, Arizona 86538  
(928) 781-6226/6227  
PI X (928) 781-6355  
January 17, 2003**RECEIVED**

JAN 17 2003

**FEDERAL COMMUNICATIONS COMMISSION**FCC, Office of the Secretary  
445-12th Street SW  
Washington, D.C. 20554Federal Communications Commission  
Office of the Secretary**Re: CC Docket Nos. 96-45 and 97-21**

This is an appeal to the Denial of a request for extension in accordance with the letter we received that was dated November 22, 2002.

It is the intent of this appeal to show that the delay was beyond the control of the service provider, Expanets.

Many Farms High School is an educational program funded and operated by the U. S. Bureau of Indian Affairs and as such must purchase in accordance with Federal regulations.

The student population of Many Farms High School is 100% members of the Navajo Tribe. Currently, 94% of the Many Farms High School students are on free or reduced USDA meals.

On May 9, 2002, Many Farms High School was able to determine there were enough to resources to purchase the complete turn-key package including the non-Erate items. A requisition for \$90,661.92 was submitted.

All technology items have to be approved by the Bureau of Indian Affairs supervisory computer specialist, Mr. Stewart Ott.

After discussion with Mr. Ott and at his insistence the requisition was reduced on May 2, 2002 to \$40,362.05 to delete the phone system and the non-Erate items.

The contracting officer for the Bureau of Indian Affairs, Office of Indian Education Programs, Mr. Keith King could not proceed with a purchase order without written approval from Mr. Ott for the items requisitioned.

Subsequently, a new requisition of \$29,809.91 was initiated by Mr. Ott, or his office reducing the number of items even further.

The contracting officer was able to complete the purchase order on August 26, 2002 of which we received a fax copy on September 1, 2002. Requesting us to provide a copy to the contractor which we did by fax on September 10, 2002.

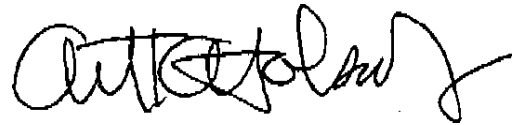
Clearly there was not enough time for the *mice* provider to purchase the necessary supplies and equipment and complete the project by September 30, 2002.

The delays adversely affecting the students of Many Farms High School were caused by the bureaucracy of our organization, the Bureau of Indian Affairs, beyond the control of the service provider, Expanets.

We, therefore, request the Administrator grant the necessary extension to complete this project so the students of Many Farms High School may benefit from current technology which they so desperately need.

Thank you for your assistance

Sincerely,



Arthur K. Hobson Jr.  
Principal

U.S. Department of the Interior  
Bureau of Indian Affairs

**REQUISITION**1. REQUISITION No: N35E21-2-5932. DATE: May 9, 2002

<b>3. Vendor Name &amp; Address:</b> <b>Expanets</b> <b>ATTN: Pattie Larson or Sue Pyeatt</b> <b>4747 N. 7th St., Suite 150</b> <b>Phoenix, AZ 85014</b> <b>PHONE #: (877) 268-0188</b> <b>FAX #: (602) 512-8111</b>	<b>4. Ship to (Name &amp; Address):</b> <b>BIA - Many Farms High School</b> <b>P.O. Box 307</b> <b>Many Farms, AZ 86538</b> <b>ATTN: Business Office</b>	<b>5. Requested Delivery Date:</b>  <b>June 9, 2002</b>
---	--	---

NOTE: The accounting code strip must be entered below each Line No. Description in Block 7. Refer to the BIA Property Management Handbook: Small Purchases - Requisitions Section.

6. Line No.	7. Description Accounting Code Strip	8. Qty.	9. Unit	10. Unit Price	11. TOTAL
001.	<b>INSTALLATION OF LAN DATA INFRASTRUCTURE:</b> E-Rate service work for Year 4, per attached quote Reference: 471 Application #248686 Funding Year 4: 07/01/01 - 06/30/02 Reference: SLD funding request #606718 and 607000 <b>TOTAL CONTACT AMOUNT \$481,691.25</b> <b>LESS: SLD funded 80% of eligible work: (433,522.13)</b> <b>Many Farms High School Co-Pay Amount: \$48,169.12</b>  <b>None E-Rate Eligible Items:</b> Telephone Sets <b>10,784.00</b> Wireless Connections <b>11,128.00</b> Voice Mail <b>20,880.00</b> <b>TOTAL AMOUNT FOR MFHS: \$90,661.62</b>  <b>N35E21 01/02 30010 25.2H</b>  <b>JUSTIFICATION:</b> This project will encompass Expanets installing a state-of-the-art LAN data infrastructure utilizing fiber optic cabling to connect each building at gigabit speed. The project will upgrade and provide Many Farms H.S. with a data and telephone system current with the newest technology for the benefit of students. 90% of the e-rate service work will be funded by the Schools and Library Division (SLD) of the Universal Service Administration Company. Many Farms High School's share of the e-rate service work is \$48,169.12, plus the none e-rate items in the amount of \$42,492.50, a grand total of \$90,661.62.	1	LOT	\$90,661.62	\$90,661.62
<b>12. TOTAL ESTIMATED COST</b>					<b>\$90,661.62</b>

13. REQUESTED BY:

Arthur K. Hobson Jr., Principal      05/09/02  
(Title & Signature)      (Date)

14. I certify the above items are authorized for this program and funds are available.

Name & Title of Approving Official:  
Arthur K. Hobson Jr., MFHS Principal

15. PROPERTY MANAGEMENT CERTIFICATION

Except as noted, items are not available from sources under my control.

\_\_\_\_\_  
(Title & Signature)

\_\_\_\_\_  
(Date)

Arthur K. Hobson Jr.  
(Approving Official's Signature)

5/9/02  
(Date)

U.S. Department of the Interior  
Bureau of Indian Affairs

## REQUISITION

1. REQUISITION NO: N35E21-2-5932 DATE: May 9, 2002

<b>3. Vendor Name &amp; Address:</b> <b>Expanets</b> ATTN: Pattie Larson or Sue Pyeatt 4747 N. 7th St., Suite 150 Phoenix, AZ 85014 PHONE#: (877) 268-0189 FAX #: (602) 512-8111	<b>4. Ship to (Name &amp; Address):</b> BIA - Many Farms High School P.O. Box 307 Many Farms, AZ 86538 ATTN: Business Office	<b>5. Requested Delivery Date:</b>  June 9, 2002
---	--	--

The accounting code strip must be entered below each Line No. Description in Block 7. Refer to the BIA Property Management Handbook Small Purchases Requisitions Section					
6. Line No. Line No	7. Description Accounting Code Strip	8. Qty.	9. Unit	10. Unit Price	11. TOTAL
001.	<b>INSTALLATION OF LAN DATA INFRASTRUCTURE</b> E-Rate service work for Year 4, per attached quota Reference: 471 Application #248686 Funding Year 4' 07/01/01 - 06/30/02 Reference: SLD funding request #606718 and 607010 TOTAL CONTACT AMOUNT: \$403,620.55 LESS: SLD funded 90% of eligible work: (363,258.50) Many Farms High School Co-Pay Amount: \$40,362.05  <b>I35E21 01102 30010 25.2H</b>  <b>JUSTIFICATION:</b> This project will encompass Expanets installing a state-of-the-art LAN data infrastructure utilizing fiber optic cabling to connect each building at gigabit speed. Ninety percent of the e-rate service work will be funded by the Schools and Library Division (SLD) of the Universal Administrative Company. Many Farms High School's share of the e-rate work is \$40,362.05	1	LOT	\$40,362.05	\$40,362.05
<b>12 TOTAL ESTIMATED COST</b>					<b>\$40,362.05</b>

## 13. REQUESTED BY:

Arthur K. Hobson Jr., Principal 05/09/02  
 (Title & Signature) (Date)

14. I certify the above items are authorized for this program and funds are available.

Name & Title of Approving Official:  
Arthur K. Hobson Jr., MEHS Principal

## 16. PROPERTY MANAGEMENT CERTIFICATION:

Except as noted, items are not available from sources under my control

(Title & Signature)

(Date)

(Approving Official's Signature)

(Date)



IN REPLY, REFER TO:

OIEP-School Operations

## United States Department of the Interior

BUREAU OF INDIAN AFFAIRS  
Office of Indian Education Programs  
Office of School Operations  
500 Gold Avenue SW, 7<sup>th</sup> Floor  
P.O. Box 829  
Albuquerque, New Mexico 87103-0829

MAY 21 2002



### Memorandum

To: Winnifred Peters, ELO - Ft. Defiance Education Office  
Beverly Crawford, ELO - Chinle Education Office  
Beatrice Woodward, ELO - Eastern Navajo Education Office

From: Edward Parisian, Deputy Director for School Operations

Subject: E-Rate Applications *Edward Parisian*

You have received guidance on the submittal of e-rate applications. I understand that the issue is the duplication of applications as Office of Indian Education Programs has submitted an application for all the schools. Expanet has been working with your schools on developing e-rate applications. I understand that Principals from your schools may be signing contracts with Expanet. This may be in violation of FAR. I need the following information submitted to me from your schools.

- 1 A copy of the 471 form that was completed for each school application
- 2 Copies of Schedules A and B.
- 3 A list of all schools who may have signed contracts with Expanet

Please submit this information to my office by COB, Friday, May 31, 2002.

If you have any questions, please contact this office at (505) 248-6955. Thank you

cc: Director, OIEP  
Acting Deputy Director Policy, Management & Budget  
Stuart OK, Supv. Computer Specialist  
Jim Issues, Computer Specialist

**FCC REVIEW OF THE ADMINISTRATOR'S DECISION**

If you believe there is a basis for further examination of your request, you may file an **appeal with the Federal Communications Commission (FCC)**: FCC, Office of the Secretary, **445-12th Street SW**, Washington, DC **20554**. If you are submitting your appeal to the **FCC** by other than United States Postal Service, check the SLD web site [www.sl.universalservice.org](http://www.sl.universalservice.org) for more information. You should refer to CC Docket Nos. 96-45 and **97-21** on the first page of your appeal to the FCC. Your **appeal** must be made in writing and **RECEIVED BY THE FCC** at the **FCC address above** **WITHIN 60 DAYS OF THE ABOVE DATE ON THIS LETTER**. Failure to meet this requirement will result in automatic dismissal of your appeal. Further information and new options for filing an appeal directly with the FCC can be found in the **"Appeals Procedure"** posted in the Reference area of the SLD web site.

We **thank** you for your continued support, patience, and cooperation during the request review process.

Schools and Libraries Division  
Universal Service Administrative Company

cc: Todd Walker, Expanset of North America, LLC



Universal Service Administrative Company  
Schools & Libraries Division

## Administrator's Decision or Implementation Extension Request

11/22/02

Arthur K. Hobson, Jr.  
Many Farms High School  
P.O. Box 307  
Many Farms, AZ 86538

**471 Application Number:** 248686  
**Funding Request Number(s):** 606718, 607000  
**Your Correspondence Dated:** 10/28/02

**After** thorough review and investigation of a relevant facts, the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") **has** made its decision in **regard to your** implementation extension request. This letter explains the basis of SLD's decision. The **date of this letter begins the 60-day time period for appealing** this decision to the Federal Communications Commission ("FCC"). **If your** request included more than one 471 Application, please *note* that for each application you will receive **a separate** determination letter.

FRN(s): 606718, 607000

Decision on extension request: **Denied in full**

**Explanation:** Request for extension was received after the original non-recurring services deadline of 9/30/02.

In accordance with the FCC Report and Order (FCC 01-195) released on June 29, 2001, the Administrator **may** grant **an** extension of time for the implementation of non-recurring **services** if the implementation is delayed for circumstances beyond the named service provider's **control**. *You* have been *unable* to establish such circumstances.

ORDER FOR SUPPLIES OR SERVICES						PAGE	OF	PAGES
IMPORTANT: Mark all packages and papers with contract and/or order numbers.						1		3
1. DATE OF ORDER 08/26/02		2. CONTRACT NO. (if any) N35E21-2-S93		6. SHIP TO:				
3. ORDER NO. SMK0E020244		4. REQUISITION/REFERENCE NO. N35E21-2-S93		a. NAME OF CONSIGNEE Many Farms High School				
5. ISSUING OFFICE (Address correspondence to) OIEP Branch of Contracts and Grants		7. TO:		b. STREET ADDRESS PO Box 307				
				c. CITY Many Farms		d. STATE AZ	e. ZIP CODE 86538	
7. NAME OF CONTRACTOR				f. SHIP VIA				
b. COMPANY NAME Expanets				8. TYPE OF ORDER				
c. STREET ADDRESS 4747 N. 7th Street, Suite 150				<input checked="" type="checkbox"/> a. PURCHASE REFERENCE YOUR: E-Rate Please furnish the following on the terms and conditions specified on both sides of this order and on the attached sheet, if any, including delivery as indicated.				
d. CITY Phoenix		e. STATE AZ		<input type="checkbox"/> b. DELIVERY - Except for being instructions on the reverse, the delivery order is subject to instructions contained on the side only of this form and is subject to the terms and conditions of the above-named contract.				
f. ZIP CODE 85014				10. REQUISITIONING OFFICE BIA-OIEP Many Farms High School				
8. ACCOUNTING AND APPROPRIATION DATA N35E21 01/02 30018 25.2H								
11. BUSINESS CLASSIFICATION (Check appropriate box(es)) <input checked="" type="checkbox"/> a. SMALL <input type="checkbox"/> b. OTHER THAN SMALL <input type="checkbox"/> c. DISADVANTAGED <input type="checkbox"/> d. WOMEN-OWNED								
12. F.O.B. POINT Destination		14. GOVERNMENT M. NO.		15. DELIVER TO F.O.B. POINT ON OR BEFORE (Date) 09/30/02		16. DISCOUNT TERMS Net 30		
13. PLACE OF Destination								
3. INSPECTION Destination		b. ACCEPTANCE Destination						
17. SCHEDULE (See reverse for Rejections)								
ITEM NO (a)	SUPPLIES OR SERVICES (b)			QUANTITY ORDERED (c)	UNIT (d)	UNIT PRICE (e)	AMOUNT (f)	QUANTITY ACCEPTED (g)
0001	E-RATE 10% OBLIGATION DOCUMENT ONLY This purchase order is to obligate the required 10% of the E-Rate application that was approved by the Science and Library Division (SLD) for the items identified on the attachment. No clauses are required on this purchase order since the only purpose is to obligate and pay the 10%. The OIEP Supervisory Computer Specialist has approved this obligation.			1	JB		\$29,809.91	
18. SHIPPING POINT		19. GROSS SHIPPING WEIGHT		20. INVOICE NO.				
21. MAIL INVOICE TO:								
a. NAME Many Farms High School, ATTN: Art Hobson						17(h) TOT. (Cont. Page)		
b. STREET ADDRESS (or P.O. Box) POB 307								
c. CITY Many Farms		d. STATE AZ	e. ZIP CODE 86538			17(i) GRAND TOTAL \$29,809.91		
22. UNITED STATES OF AMERICA BY (Signature) [Signature]				23. NAME (Typed) KEITH A KING TITLE: CONTRACTING/ORDERING OFFICER				



**DATA TELECOMMUNICATIONS COMPONENTS - Wireless Cisco Components removed. Not approved**

		Qty	Unit	Cost	Total
<b>Many Farms - Building 1157/1156</b>					
1	(#WS-C2950C-24) 24 10/100 Ports w/2 100BASE-FX uplinks, Catalyst Switch	4	Each	299.50	\$ 1,198.00
2	(#CAB-AC) Power Cord 100 Volt	4	Each	0	\$ 000.00
3	(#WS-C3550-12G) 10GBIC Ports and 2 10/100BaseTPorts	2	Each	999.50	\$ 1,999.00
4	(#CAB-AC) Power Cord 100 Volt	2	Each	0	\$ 000.00
5	(#051460054103) 1500VA UPS	2	Each	127.00	\$ 254.00
<b>Many Farms - Building 1163/1167/1165</b>					
6	(#WS-C2950C-24) 24 10/100 Ports w/2 100BASE-FX uplinks, Catalyst Switch	3	Each	299.50	\$ 898.50
7	(#CAB-AC) Power Cord 100 Volt	3	Each	0	\$ 000.00
8	(#05146012-4103) 700VA UPS	3	Each	79.50	\$ 238.50
<b>Many Farms - Building 1168/1162/1166</b>					
9	(#WS-C2950G-24-EI) 24 10/100 Ports w/2 GBIC Slots, Catalyst Switch	3	Each	299.50	\$ 898.50
	Enhanced Image	3	Each	0	\$ 000.00
10	(#CAB-AC) Power Cord 100 Volt	3	Each	79.50	\$ 238.50
11	(#05146012-4103) 700 VA UPS	3	Each		
<b>Many Farms - Building 1164/Room 103</b>					
12	(#WS-2950G-24-EI) Catalyst 2950, 24 Port w/2 GBIC Slots, Enhanced Image	2	Each	299.50	\$ 599.00
13	(#CAB-AC) Power Cord 100 Volt	2	Each	0	\$ 000.00
14	(#WS-2950G-24-EI) Catalyst 2950, 48 Port w/2 GBIC Slots, Enhanced Image	2	Each	499.50	\$ 999.00
15	(#CAB-AC) Power Cord 100 Volt	2	Each	0	\$ 000.00
16	(#WS-X3500-XL) Gigastack GBIC	4	Each	25.00	\$ 100.00
17	10 GBIC ports and 2-10/100/1000Base T Ports	2	Each	999.50	\$ 1,999.00
18	(#05146005-4103) 1500VA UPS	1	Each	127.00	\$ 254.00
<b>Many Farms - Building 1161/Room 125/Room 109</b>					
19	(#WS-C2950G-48-EI) 48 10/100 Ports w/2 GBIC Slots, Catalyst Switch	3	Each	299.50	\$ 898.50
	Enhanced Image	3	Each	0	\$ 000.00
20	(#CAB-AC) Power Cord 100 Volt	3	Each	79.50	\$ 238.50
21	(#05146012-4103) 700 VA UPS	3	Each		
	TOTAL DATA (RATE PERCENTAGE 10%)				\$10,813.00
	EXPANET DISCOUNT (25%)				
	SUB-TOTAL DATA				\$8,109.75
<b>Server Components</b>					
22	DELL POWEREDGE SERVERS CONFIGURED AS FOLLOWS: 2-1 GHz Processors w/256K Cache Each - P3 XEON 1 GB SDRAM (4 X 256MB, 133 MHz Bus; Deluxe Windows Keyboard 17" Monitor; 2X9G, 10K 1.0-/U3 Hard Drives w/Cage; Additional 4x18GB 10,000 RPM Hard Disk Drives; PERC2 Raid Card 128MB Cache - 2 In 2-Ext; Additional Add-in RAID 5/ Raid 0 1 <sup>st</sup> Channel to Cage; 1.44MB Floppy Disk Drive; Microsoft Windows Advanced Server 2000; Logitech System Mouse; 2 - Inter Pro 100 Mbps Network Interface Cards; 20/40 GB External Backup Drive with 2940; 17/40XSCSI CDROM; 8 Bay Hard Disk Drive Cage; Electronic Documentation Tower Option; Redundant Power Supply; UPS 1400VA; NBD Parts and Labor Maintenance YR1, NBD Parts and Labor YRS2 and 3 SUB-TOTAL SERVER	4	Each	1369.10	\$ 5476.40
<b>Cabling Components</b>					
23	As described in Campus Backbone SOW	1			\$ 1,664.40
	Material	1			\$ 1,859.78
	Labor	1			
24	As Described in Voice and Data Cabling Infrastructure SOW	1			\$ 3,143.56
	Voice Material	1			\$ 3,873.52
	Voice Labor	1			\$ 650.80
	Data Material	1			\$ 1,192.90
	Data Labor	1			
	As described in Voice and Data Cabling Infrastructure SOW - Bldgs 1156 1166, 1168, 1162 and 1164	1			\$ 812.00
	Material	1			\$ 1,024.80
	Labor	1			
	SUB-TOTAL CABLING				\$16,223.76
	GRAND TOTAL				\$29,808.91

09/09/02 08:41 FAX 5052486941

BIA / OIE

001

United States Department of the Interior  
BUREAU OF INDIAN AFFAIRS  
OFFICE OF INDIAN EDUCATION PROGRAMS

500 Gold Street SW, 7<sup>th</sup> Floor, PO Box 829  
Albuquerque, New Mexico 87103  
Phone: (505) 24843943 Telefax: (506) 248-6941

(0909 2 sec)  
DL  
ML  
Lewis  
CB  
Bonnie  
Revere  
BS

## \*\*\*\*\* FAX COVER SHEET \*\*\*\*\*

TO: Art Hobson

ORG/OFFICE: Many Farm8 High School

TEL NO: (928)781-6297

FAX NO: (928)781-6355

NO OF PAGES; 4  
(Including this page)

DATE : 9/9/02

Art. see the attached purchase order for the 11% E-Rate obligation. Please provide a copy to the contractor. If you have any questions give me a call. Thanks, Keith.

